

JUL 22 2016

## In the Supreme Court of Iowa

CLERK SUPREME COURT

In the Matter of Amending	)	
Expanded News Media Coverage	)	Order
Rules and Forms in Chapter 25	)	
of the Iowa Court Rules	)	

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In April 2014, the Iowa Supreme Court adopted amendments to the Rules for Expanded News Media Coverage in chapter 25 of the Iowa Court Rules. The amendments reflected advancements in technology the media utilize in covering court proceedings. Those amendments also allowed a more consistent use of expanded media coverage statewide, retained judicial discretion in accommodating media coverage in individual cases, and maintained Iowa's long history of promoting transparency of court processes while also protecting the sanctity of court procedures and individual rights. The court now addresses three matters that have arisen regarding use and interpretation of the chapter 25 rules and accompanying forms.

Since first passage of the media coverage rules more than 35 years ago, the practice has been that news media must file only one request for expanded coverage for the duration of the case or trial. The court did *not* amend rule 25.3(2) providing for advance notice of coverage when the chapter was updated two years ago. The court now amends rule 25.3(2), however, to clarify the rule and make it clearly consistent with past and current practice that only one request for expanded news media coverage is required for all proceedings in the same case or trial, with the exception of a separate request required for initial appearances. The court also amends form 1 of rule 25.10, News Media Coordinator's Notice of Request for Expanded News Media Coverage of Trial or Proceeding, to reflect this clarification. This practice has served both the courts and media well over the years and should be retained.

In some jury trials, the district court has permitted media members to photograph jury selection as long as no photos depicted prospective jury members. There have also been media requests to “tweet” during jury selection. Rule 25.2(6), however, clearly prohibits expanded news media coverage of jury selection proceedings. The court declines to amend this rule and affirms application of the rule to prohibit any expanded news media coverage of jury selection proceedings. Members of the news media and the public, however, may be present during jury selection. The expanded news media coverage prohibition includes the taking of photographs of the trial court judge, attorneys, and parties during the jury selection process and any form of “tweeting” or live blogging during the jury selection process. A primary purpose of this prohibition is to protect the privacy rights of jurors and prospective jurors and to protect them from undue discomfort or embarrassment. The Iowa Supreme Court maintains a long legacy of encouraging the greatest possible public access to court proceedings. This access, however, must be balanced with the dignity, decorum, and impartiality of court proceedings and must preserve privacy considerations of citizens participating in those proceedings and serving as jurors.

Finally, to foster judicial branch transparency and to enable more and more Iowans to see firsthand how our courts system works, the Iowa Supreme Court and the Iowa Court of Appeals hold appellate oral arguments in communities throughout Iowa. To clarify that the expanded news media rules of chapter 25 apply to such offsite proceedings, the court amends rule 25.5(2) to state expressly that the rules cover appellate oral arguments occurring outside of the Iowa Judicial Branch Building in Des Moines. Form 4 of rule 25.10 is amended to reflect this change.

The amendments to rules 25.3(2) and 25.5(2) and to forms 1 and 4 of rule 25.10 are provided with this order.

The amendments to rules 25.3(2) and 25.5(2) and to forms 1 and 4 of rule 25.10 take effect immediately.

Dated this 22nd day of July, 2016.

The Supreme Court of Iowa

By Mark S. Cady  
Mark S. Cady, Chief Justice